

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS

In Re:  
Highland Capital Management, L.P.

CLO HoldCo, Ltd

vs.  
Marc Kirschner, the Litigation Trustee for the Highland  
Litigation Sub–Trust

Debtor(s)

Appellant(s)

Appellee(s)

Case No.: 19-34054-sgj11  
Chapter No.: 11

## NOTICE OF TRANSMITTAL

I am transmitting:

- The Motion for leave to Appeal 28 U.S.C. § (USDC Civil Action No. DNC Case).
- The Motion for Stay Pending Appeal (USDC Action No. – DNC Case).
- The Proposed Findings of Fact and Conclusions of Law.
- The Motion to Extend Time To File Designation (USDC Civil Action No DNC Case).
- On , the Record on Appeal was transmitted. The designation of record or item(s) designated by were not filed when the record was transmitted. The item(s) were filed on awaiting instructions from the assigned district judge.
- Other
- Copies of: Notice of appeal, appealed order [3457] and supporting documents

**TO ALL ATTORNEYS:** File all subsequent papers captioned and numbered with the appropriate division of the United States District Clerk's Office. Any questions concerning this proceeding should be directed to the U.S. District Clerk's Office at (214) 753-2200.

DATED: 9/7/22

FOR THE COURT:  
Robert P. Colwell, Clerk of Court

by: /s/Sheniqua Whitaker, Deputy Clerk

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS

**APPEAL SERVICE LIST**  
**Transmission of the Record**

BK Case No.: 19-34054-sgj11

Received in District Court by: \_\_\_\_\_

Date: \_\_\_\_\_

Volume Number(s): \_\_\_\_\_

cc: Stacey G Jernigan  
Courtney Lauer  
Caroline Nowlin  
Attorney(s) for Appellant  
US Trustee

**Appellant** CLO HoldCo, Ltd.

KELLY HART PITRE  
Louis M. Phillips (#10505)  
One American Place  
301 Main Street, Suite 1600  
Baton Rouge, LA 70801-1916  
Telephone: (225) 381-9643  
Facsimile: (225) 336-9763  
Email: louis.phillips@kellyhart.com  
Amelia L. Hurt (LA #36817, TX #24092553)  
400 Poydras Street, Suite 1812  
New Orleans, LA 70130  
Telephone: (504) 522-1812

KELLY HART & HALLMAN  
Hugh G. Connor II  
State Bar No. 00787272  
hugh.connor@kellyhart.com  
Michael D. Anderson  
State Bar No. 24031699  
michael.anderson@kellyhart.com  
Katherine T. Hopkins  
Texas Bar No. 24070737  
katherine.hopkins@kellyhart.com  
201 Main Street, Suite 2500  
Fort Worth, Texas 76102  
Telephone: (817) 332-2500

**Appellee** Marc Kirschner, the Litigation Trustee for the Highland Litigation Sub-Trust

SIDLEY AUSTIN LLP  
Paige Holden Montgomery  
Texas Bar No. 24037131

BTXN 150 (rev. 11/10)

In Re:  
Highland Capital Management, L.P.

Debtor(s)

§§§  
Case No.: 19-34054-sgj11  
Chapter No.: 11

## CIVIL CASE COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet.

**I. (a) APPELLANT**  
CLO HoldCo, Ltd.

(b) County of Residence of First Listed Party:  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)  
One American Place  
301 Main Street, Suite 1600  
Baton Rouge, LA 70801-1916  
Telephone: (225) 381-9643  
  
Amelia L. Hurt (LA #36817, TX #24092553)  
400 Poydras Street, Suite 1812  
New Orleans, LA 70130  
Telephone: (504) 522-1812  
  
KELLY HART & HALLMAN  
Hugh G. Connor II  
Michael D. Anderson  
Katherine T. Hopkins  
201 Main Street, Suite 2500  
Fort Worth, Texas 76102  
Telephone: (817) 332-2500

**APPELLEE**  
Marc Kirschner, the Litigation Trustee for the Highland Litigation Sub-Trust

County of Residence of First Listed Party:  
(IN U.S. PLAINTIFF CASES ONLY)

Attorney's (If Known)  
SIDLEY AUSTIN LLP  
Paige Holden Montgomery  
Juliana L. Hoffman  
2021 McKinney Avenue  
Suite 2000  
Dallas, Texas 75201  
Telephone: (214) 981-3300  
  
QUINN EMANUEL URQUHART &  
SULLIVAN, LLP  
Susheel Kirpalani (admitted pro hac vice)  
Deborah J. Newman (admitted pro hac vice)  
Robert S. Loigman (admitted pro hac vice)  
Benjamin I. Finestone (admitted pro hac vice)  
Calli Ray (admitted pro hac vice)  
Alexander J. Tschumi (admitted pro hac vice)  
New York Bar. No. 5492194  
51 Madison Avenue  
Floor 22  
New York, NY 10010  
Telephone: (212) 849-7000

### II. BASIS OF JURISDICTION

1 U.S. Government Plaintiff       2 U.S. Government Defendant       3 Federal Question (U.S. Government Not a Party)       4 Diversity (Indicate Citizenship of Parties in Item III)

### III. CITIZENSHIP OF PRINCIPAL PARTIES

Citizen of This State	<input type="radio"/> 1	<input type="radio"/> 1	Incorporated or Principal Place of Business In This State	<input type="radio"/> 4	<input type="radio"/> 4
Citizen of Another State	<input type="radio"/> 2	<input type="radio"/> 2	Incorporated and Principal Place of Business In Another State	<input type="radio"/> 5	<input type="radio"/> 5
Citizen or Subject of a Foreign Country	<input type="radio"/> 3	<input type="radio"/> 3	Foreign Nation	<input type="radio"/> 6	<input type="radio"/> 6

### IV. NATURE OF SUIT

422 Appeal 28 USC 158       423 Withdrawal 28 USC 157       890 Other Statutory Actions

### V. ORIGIN

1 Original Proceeding       2 Removed from State Court       3 Remanded from Appellate Court       4 Reinstated or Reopened  
 5 Transferred from another district       6 Multidistrict Litigation       7 Appeal to District Judge from Magistrate Judgment

### VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (**Do not cite jurisdictional statutes unless diversity**):  
422 Appeal 28 USC 158

Brief description of cause:  
Notice of appeal of a bankruptcy court order

### VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23      DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND:  Yes  No

---

**VIII. RELATED CASE(S) IF ANY**

Judge:

Docket Number: 3:21-CV-3086-K

---

DATED: 9/7/22

FOR THE COURT:  
Robert P. Colwell, Clerk of Court  
by: /s/Sheniqua Whitaker, Deputy Clerk

Juliana L. Hoffman  
Texas Bar No. 24106103  
2021 McKinney Avenue  
Suite 2000  
Dallas, Texas 75201  
Telephone: (214) 981-3300  
Facsimile: (214) 981-3400  
-and  
QUINN EMANUEL URQUHART &  
SULLIVAN, LLP  
Susheel Kirpalani (admitted pro hac vice)  
Deborah J. Newman (admitted pro hac vice)  
Robert S. Loigman (admitted pro hac vice)  
Benjamin I. Finestone (admitted pro hac vice)  
Calli Ray (admitted pro hac vice)  
Alexander J. Tschumi (admitted pro hac vice)  
New York Bar. No. 5492194  
51 Madison Avenue  
Floor 22  
New York, NY 10010  
Telephone: (212) 849-7000